

**IN THE UNITED STATES BANKRUPTCY
COURT FOR THE EASTERN DISTRICT OF
PENNSYLVANIA**

In re:	:	Bankruptcy No. 21-12341-MDC
	:	
RUSSEL S. BLEILER III	:	
	:	Chapter 13
	:	
Debtor	:	

**OBJECTION OF SHARON BLEILER TO DEBTOR’S
CHAPTER 13 PLAN OF OCTOBER 22, 2021**

TO THE HONORABLE MAGDELINE D. COLEMAN,
UNITED STATES BANKRUPTCY JUDGE:

Sharon Bleiler (Objectant), by and through her counsel, Eastburn and Gray, P.C., objects as a party in interest to Debtor’s Chapter 13 Plan (“Plan”) dated October 22, 2021 as follows:

1. Part 3 of the plan provides that no money will be paid towards debtor’s domestic support obligations.
2. Section 2 (e) of the plan provides that no money will be paid towards priority claims.
3. On November 3, 2021, Sharon Bleiler filed a Proof of Claim for unpaid domestic support obligations.
4. The claims register shows filed claims totaling \$2,840,729.57.
5. The claims register shows secured claims of \$1,758,429.30.
6. The filed unsecured claims exceed \$419,275.
7. Section 109(e) of the Bankruptcy Code, entitled “Who may be a debtor,” provides in pertinent part:

Only an individual with regular income that owes, on the date of the filing of the petition, noncontingent, liquidated, unsecured debts of less than \$419,275 and noncontingent, liquidated, secured debts of less than \$1,257,850, or an individual with regular income and such individual's spouse, except a stockbroker or a commodity broker, that owe, on the date of the filing of the petition, noncontingent, liquidated, unsecured debts that aggregate less than \$419,275 and noncontingent, liquidated, secured debts of less than \$1,257,850 may be a debtor under chapter 13 of this title.

8. Debtor is not eligible for relief under chapter 13.
9. Objectant is a former spouse of debtor.
10. Objectant holds a priority claim. See 11 U.S.C. § 507 (a),
11. 11 U.S.C. §1328 (a) provides
 - (a) Subject to subsection (d), as soon as practicable after completion by the debtor of all payments under the plan, and in the case of a debtor who is required by a judicial or administrative order, or by statute, to pay a domestic support obligation, after such debtor certifies that all amounts payable under such order or such statute that are due on or before the date of the certification (including amounts due before the petition was filed, but only to the extent provided for by the plan) have been paid, unless the court approves a written waiver of discharge executed by the debtor after the order for relief under this chapter [11 USCS §§ 1301 et seq.], the court shall grant the debtor a discharge of all debts provided for by the plan or disallowed under section 502 of this title [11 USCS § 502], except any debt—....
12. The Plan fails to provide for payment of domestic support obligations due objectant making the Plan not confirmable pursuant to 11 U.S.C. § 1325.

Wherefore, Sharon Bleiler respectfully requests that this Hon. Court deny confirmation to Debtor's Plan dated October 22, 2021

Date: November 22, 2021

EASTBURN AND GRAY, P.C.

By /s/David L. Marshall

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